



City of Annapolis

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Annapolis Environmental Commission

July 3, 2013

The Annapolis Environmental Commission (AEC) held its regular meeting on July 3, 2013 at 145 Gorman Street, Conference Room 3. **Chair** Weber called the meeting to order at 7:06p.m.

Present: **Chair** Weber, **Co-Vice Chair** Dr. Riegel, **Co-Vice Chair** Kissel, O'Leary, Butler Pogell, Zolper

Guest: S. Weber, Henderson, Murphy

II. June 5, 2013 Meeting Minutes

Ms. Pogell moved to approve the June 5, 2013 meeting minutes as amended. **Co-Vice Chair** Kissel seconded the motion. The motion passed unanimously in a vote of 7-0.

III. Elections of Chair and Vice-Chair

Chair Weber agreed to continue to serve as **Chair** of the AEC for another six months at which time the AEC needs to elect another **Chair**. **Co-Vice Chair** Kissel agreed to serve as **Vice Chair** until the same. The AEC agreed to hold elections of the **Chair** and **Vice Chair** positions at its December meeting.

Co-Vice Chair Dr. Riegel nominated Mr. Weber to serve as **Chair** of the AEC for six months.

Ms. Butler seconded the motion. The motion passed unanimously in a vote of 6-0 with one abstention.

Ms. Butler nominated **Co-Vice Chair** Kissel to serve as **Vice Chair** of the AEC for six months.

Mr. Zolper seconded the motion. The motion passed unanimously in a vote of 7-0.

Vice Chair Kissel agreed to be a conduit to send out correspondence and speak on behalf of the AEC.

Ms. Butler suggested that AEC request monthly project updates from staff. **Chair** Weber agreed to contact staff for updates and will delegate the authority to **Vice Chair** Kissel when he is unable to.

IV. **REGULAR BUSINESS BEFORE THE COMMISSION**

A. **Subcommittee Reports**

Chair Weber discussed a proposal to establish a new subcommittee on greenhouse gas emissions. He believes climate change is the most important environmental issue that the world currently faces. He noted that the City drafted some recommendations to reduce the City carbon footprint in their Sustainability Plan but fell significantly short of the goals. He is interested in working on this subcommittee and seeks other volunteers as well.

Dr. Riegel moved that the AEC establish a subcommittee on greenhouse gas reduction. **Vice Chair** Kissel seconded the motion. The motion passed unanimously in a vote of 7-0.

1. Development Review

Ms. Butler noted that the subcommittee has not received any project updates from DNEP and perhaps the **Vice Chair** could make a request. **Chair** Weber has requested updates from Ms. Beard and Ms. Broadbent and both indicated that there were no updates except the review for Crystal Springs was sent to the applicant. Ms. Butler noted that there have been updates and the AEC has to be insistent in

order to receive the updates regularly. Ms. Pogell will contact P&Z to determine which staff member is handling the Rodgers Property. **Chair** Weber agreed to contact DNEP for monthly project status.

Milkshake Lane

Ms. Pogell asked about the status of the 79 trees that were cut down on the Milkshake Lane project. Ms. Butler responded that the trees were cut down by an unlicensed consultant and there was no mitigation. She read the update from the website that indicated that the delineation was approved March 19, 2013 and the update indicated that the delineation was appealed.

Crystal Springs

Ms. Butler offered kudos to the City concerning their review of the preliminary forest conservation plan that was filed on June 28, 2013. **Chair** Weber noted that one difference the AEC has is that DNEP seeks 50% of forest coverage by 2036, but AEC seeks acre for acre mitigation of any forest lost (i.e., 100%). If the city canopy goal is 50% by 2036, then the city will have to increase its forested area, not decrease it (which will happen if half the forest in Crystal Spring is lost and not mitigated).

2. Recycling

Mr. O'Leary had nothing new to report on recycling. **Chair** Weber noted that there is a vacancy on the Recycling subcommittee with the departure of Dr. Patrick.

3. Outreach

The AEC agreed to maintain the newsletter schedule established in a prior meeting.

4. Water Quality/Stormwater

Vice Chair Kissel reported that in general, Best Management Practice (BMP) devices are not working very well. He noted that Richard Kline performed a survey and found that a significant number of these BMP's are not working and are in need of maintenance. He suggested approaching the City to determine if there is follow up on these BMP's. **Chair** Weber suggested inviting Matt Waters to the August meeting discuss water quality issues. He tasked Ms. Pogell, Dr. Riegel and **Vice Chair** Kissel with developing questions or ideas for the meeting with Mr. Waters.

B. DNEP Report

Ms. Beard's report was provided to **Chair** Weber via email. The report noted that DNEP started the Buy Local Challenge contest and employees who participate can win prizes. The Department is working with the County Economic Development to restart the environmental stewardship certification program for restaurants in the County in addition to the one in the City. The City is using its summer interns to help in this effort.

IV. OLD BUSINESS

A. Appointments to Fill Vacancies

Chair Weber noted that hopefully Ms. Kiraly will be appointed soon and with her appointment there would be only one vacancy on the AEC. Ms. Weber and Mr. Murphy have applied for a seat. Ms. Weber has not received a response. AEC encouraged her to follow up on the inquiry with Ms. Raftovich.

B. Ordinance O-21-13 – Forest Conservation Act Ordinance

Ms. Butler reported that on June 18, 2013 there was an Environmental Matters Committee (EMC) meeting and at that meeting the Chairman discussed the FCA ordinance asking staff to comment. She noted that a good discussion ensued and a Chesapeake Bay Foundation (CBF) Attorney, Elaine Lutz also provided testimony. Ms. Butler believes that the meeting was well run. She read CBF testimony that included what the City needs to do to be in compliance. Ms. Pogell also provided her written testimony. **Vice Chair** Kissel believes it is a good document and outlines the problems with City Code. Ms. Butler noted that the City Council needs to vote on this ordinance fairly quickly because it is tied to another development.

Ms. Butler moved that the AEC advise the EMC that the Planning Commission should review all matters regarding implementation of the FCA and that appeals should go to the Zoning Board of Appeals for both developers and citizens for all environmental issues regarding the development. **Vice Chair Kissel** seconded the motion. The motion passed unanimously in vote of 7-0.

C. **AEC Quorum Resolution**

Dr. Riegel clarified that Ms. Broadbent suggested that the AEC determine if there were any implications for meeting without establishing a quorum specifically in side meetings. He reached out to the City Attorney twice but was unable to contact her. However, he does not have concerns with moving the resolution forward with the language recommending removal of the sentence regarding the need for a quorum from the code. The next step would be to send the resolution to the Mayor and City Council after a sponsor is located.

V. **NEW BUSINESS**

There was none.

VIII. **ADJOURNMENT**

The next AEC meeting is scheduled for August 7, 2013 at 7:00pm at 145 Gorman Street. With there being no further business, **Vice Chair Kissel** moved to adjourn the meeting at 8:30pm. Ms. Butler seconded the motion. The motion passed unanimously in a vote of 7-0.

Tami Hook, Recorder